IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURALE MRS.JUSTICE K. HEMA

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 14231 of 2007(T)

PETITIONER:

NATARAJAN, S/O. JANARDHANAN,
THOTTATHARATHEKKETHIL, THAMARAKULAM VILLAGE,
MAVELIKKARA TALUK.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENTS:
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1. THE CIRCLE INSPECTOR OF POLICE,
MAVELIKKARA.

2. THE SUB INSPECTOR OF POLICE,
KURATHIKAD POLICE STATION.

3. REMADEVI, D/O. RAJAMMA,
PUTHUSSERIL, NORTH MANKUZHI,THEKKEKKARA VILLAGE,
MAVELIKKARA.

4. AJITHA, W/O.RAMACHANDRAN PILLAI,
PUTHUSSERIL, NORTH MANKUZHI, THEKKEKKARA VILLAGE,
MAVELIKKARA.

5. LATHIKA, W/O. RAJU,
RAJEEV BHAVANAM, NORTH MANKUZHI,
THEKKEKKARA VILLAGE, MAVELIKKARA.

6. BHASKARA KARANAVAR,
S/O. PADMANABHA KURUP, KARTHIKAVEEDU,
NORTH MANKUZHI, THEKKEKKARA VILLAGE,MAVELIKKARA.

ADDL. 7. DISTRICT COLLECTOR, ALAPPUZHA.

" 8. ASST. EXCISE COMMISSIONER, ALAPPUZHA.

(ADDL. R7 and R8 are impleaded as per order dated 30/7/2007 in IA.NO.6236/2007)

R1,R2& R7 & R8 BY GOVT.PLADER SRI P.A.SALIM.

R3, R4, R5 & R6 BY ADV. SRI.R.KRISHNA RAJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE LICENCE ISSUED BY THE ASST. EXCISE COMMISSIONER DTD. 23/4/2007.

EXT.P2 TRUE COPY OF THE WRITTEN COMPLAINT SUBMITTED BEFORE THE IST RESPONDENT DTD. 26/4/07.

RESPONDENTS' EXTS:

EXT.R3A TRUE COPY OF THE PAPER REPORT DTD. 27/4/2007 PUBLISHED IN MATHRUBHUMI DAILY.

EXT.R3B TRUE COPY OF THE PAPER REPORT DTD. 30/4/2007 PUBLISHED IN MALAYALA MANORAMA DAILY.

EXT.R3C TRUE COPY OF THE MASS PETITION SUBMITTED BY THE RESPONDENTS AND OTHERS BEFORE THE DIST. COLLECTOR.

P.R.RAMAN & K.HEMA JJ.

W.P.(C)NO.14231 OF 2007

Dated this the 30th day of July, 2007

JUDGMENT

Raman,J.

This Court as per order dated 25/5/2007 directed the police to see that law and order is maintained and if the petitioner has got valid licence still in force and in case there is no prohibitory orders, police to see that functioning of the shop is not obstructed. The same was extended subsequently. No counter affidavit filed.

2. In such circumstances, the interim order is made absolute and will be in force subject to the condition that the licence is in force and there is no prohibitory order issued by any of the statutory authority.

3. It is submitted by the learned counsel appearing for the 6th respondent that he has filed W.P.(C).No.19181/2007 challenging the proceedings of the Assistant Excise Commissioner. The order now passed in no way affect the right of the parties, since the protection is ordered only subject to certain conditions which will safeguard the interest of the respondents.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.